

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR SPECIAL COUNCIL MEETING  
OF  
THURSDAY, MARCH 14, 1991  
AT 10:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

NOTICE OF SPECIAL MEETING OF THE CITY COUNCIL

To Council Members Wolfsheimer, Roberts, Hartley, Pratt, Bernhardt, Henderson, McCarty, and Filner, members of the City Council of the City of San Diego, California:

A SPECIAL MEETING of the City Council is hereby called to be held in the Council Chambers, 12th floor City Administration Building, 202 C St., San Diego, California, on Thursday, March 14, 1991 at the hour of 10:00 a.m.

Said meeting has been called for the purpose of consideration of the following matters concerning the Drought State of Emergency and Water Conservation:

In the matter of a presentation to the Mayor and City Council from the San Diego County Water Authority.

In the matter of a Legislation to provide tax incentives for water conservation retrofit expenditures.

Introduction of an Ordinance amending the San Diego Municipal Code to require the installation of Ultra-Low Flush Toilets in all new construction.

Alternate actions concerning Emergency Water Regulations:

- A) Introduction and adoption of an Emergency Ordinance amending the San Diego Municipal Code relating to Emergency Water Regulations; and
- B) Introduction of an Ordinance amending the San Diego Municipal Code relating to Emergency Water Regulations.

The matter of Water Conservation.

Amending and/or increasing certain currently effective water rates and charges as part of the annual review of water and sewer utility rates.

Dated March 7, 1991

MAUREEN O'CONNOR, MAYOR

**Minutes of the Council of the City of San Diego  
for the Special Meeting of Thursday, March 14, 1991**

**Page 2**

**CHRONOLOGY OF THE MEETING:**

The meeting was called to order by Mayor O'Connor at 10:06 a.m. The meeting was recessed by Mayor O'Connor at 12:26 p.m. to meet in Closed Session in Council Conference Room, 12th floor to discuss pending litigation. The meeting was reconvened by Mayor O'Connor at 1:10 p.m. with Council Members Wolfsheimer, Hartley and Pratt not present. Mayor O'Connor adjourned the meeting at 2:18 p.m.

**ATTENDANCE DURING THE MEETING:**

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-not present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (ll,so)

**FILE LOCATION: MINUTES**

**ITEM-1: ROLL CALL**

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-not present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-not present
- (4) Council Member Pratt-not present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-not present

ITEM-701: PRESENTATION MADE

In the matter of a presentation to the Mayor and City Council from the San Diego County Water Authority.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A125-D201.)

BY COMMON CONSENT, PRESENTATION WAS MADE.

ITEM-702: ADOPTED AS RESOLUTION R-277474

In the matter of Legislation to provide tax incentives for water conservation retrofit expenditures.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D202-217.)

MOTION BY BERNHARDT TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-not present, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-703: (O-91-130) INTRODUCED, TO BE ADOPTED MARCH 26, 1991

(Continued from the meeting of March 4, 1991, Item S400, at the City Manager's request, to hear all the water items together.)

Introduction of an Ordinance amending Chapter IX, Article 3, Division 2, of the San Diego Municipal Code by adding new Section 93.0206, establishing Water Conservation Plumbing Standards for New Construction, requiring the installation of Ultra-Low Flush Toilets.

CITY MANAGER SUPPORTING INFORMATION: On December 11, 1990, the City Council adopted the "City of San Diego's 1990 Urban Water Management Plan and Conservation Program" (Plan). The Plan includes a five-year water conservation program which includes development of a local ordinance requiring the installation of Ultra-Low Flush Toilets (ULFTS) in all new construction. The City Manager's Water Conservation Advisory Committee also

recommended the adoption of a ULFT ordinance. The San Diego County Board of Supervisors recently adopted a similar ordinance that became effective on January 1, 1991. Water-efficiency plumbing legislation has been passed at the State level. It requires the installation of ULFTS in all new construction effective January 1, 1992. Adoption of the City's new ordinance would promote the installation of water-conserving plumbing fixtures prior to the State's mandate.

WU-U-01-141.

FILE LOCATION:           --

COUNCIL ACTION:       (Tape location: D218-383.)

MOTION BY BERNHARDT TO INTRODUCE AND TO DIRECT STAFF TO REFER THE FOLLOWING ITEMS TO THE CITY MANAGER'S OFFICE TO GO THROUGH COMMITTEE AND BRING BACK FOR COUNCIL'S REVIEW: THAT THE SAME REQUIREMENTS APPLY TO RESALE PROPERTY, AS WELL AS NEW CONSTRUCTION; DETERMINE SOME TYPE OF TIMER TO HEAT THE WATER FASTER WHEN TURNING ON SHOWERS AND FAUCETS; DETERMINE THE SUPPLY OF TOILETS IN THE STATE. Second by McCarty. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-not present, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-704:       TRAILED TO MARCH 18, 1991

(Continued from the meeting of March 4, 1991, Item S401, at the City Manager's request, to hear all the water items together.)

Actions concerning Emergency Water Regulations:

Subitem-A:       (O-91-139)

Introduction and adoption of an Emergency Ordinance amending Chapter VI, Article 7, of the San Diego Municipal Code by amending Sections 67.38.2, 67.38.3, 67.38.4, 67.38.5, 67.38.6, 67.38.7 and 67.38.8, relating to Emergency Water Regulations.

(This Ordinance will take effect on the day of its adoption.)

Six votes required for Subitem A.

Subitem-B: (O-91-139)

Introduction of an Ordinance amending Chapter VI,  
Article 7, of the San Diego Municipal Code by amending  
Sections 67.38.2, 67.38.3, 67.38.4, 67.38.5, 67.38.6,  
67.38.7 and 67.38.8, relating to Emergency Water  
Regulations.

(This Ordinance will take effect on the 30th day after its passage.)

CITY MANAGER SUPPORTING INFORMATION: California is entering its fifth consecutive drought year. Rainfall totals, snowpack depths and reservoir levels remain below normal State-wide. In light of current demands for water within the State, it appears that there may not be enough water in 1991 to serve all beneficial users of water, even if all users implement strict conservation measures and water rationing. On a local level, the San Diego County Water Authority (CWA) is asking all San Diegans to reduce their water consumption by 15% beginning on February 1, 1991. The City Manager issued a press release asking San Diegans to voluntarily comply with the CWA's request.

A reduction of 30% will be requested by the CWA on March 1, 1991. The City Council adopted an Emergency Water Conservation Ordinance in 1987. Based upon the severity of the drought, the City should be prepared to respond immediately to requests for reduced water consumption in its service area. The recommended revisions to the Ordinance will provide the City with greater administrative ease when implementing various stages of the Ordinance. The recommended revisions include: 1) Defining unreasonable uses of water to include over-irrigation, failure to repair water leaks and hosing down paved areas; 2) Referring to Stage 1 (the voluntary compliance stage) as a Water Watch Stage; 3) Explaining the circumstances which would warrant enacting each of the four stages of the Ordinance; 4) Adding a provision in Stage 3 which would allow a new construction meter to be issued only when an old one is returned; 5) Adding a provision in Stage 4 which would allow greywater to be used for outdoor irrigation.

WU-U-91-140.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D406-E698.)

By common consent all actions on this item were deferred to March 26, 1991.

Motion by Roberts to direct staff to bring the following information back before Council:

1. Incorporate tiered rates along with the County Water Authority ordinance into the cost increase. The single most important thing we can do is establish a tiered rate structure. Adopt a lifeline rate of 10 HCF as currently

exists.

2. Decide what percent the rate increase should be and apply that figure in two steps using the tiers. Consider a lifeline usage of 10 HCF along with the goals of a 50% reduction in water usage and the total bill. Bring back information on using that same philosophy to create a rate structure with the increase of 38 or 39 cents. Include commercial and industrial requirements.

3. Report on the feasibility of starting a monthly billing system so people can see more frequently how they are saving. Customers will not be faced with a big surprise with two month's rates to be factored in. It is imperative from a savings standpoint.

4. Return with options and justification for dropping to an HCF of 7.

5. Establish the sunset date to be placed in the drought ordinance so rates would be lowered when the drought is over. A separate Council vote would have to be justified for funding Capital Improvement Projects.

6. Address the pilot project for gray water because of the concern with watering trees planted on SR 52 that were planted as part of the mitigation for the Least Bells Vireo.

7. Address how the policies are going to get out to the public giving them adequate time to respond.

8. Respond with detailed recommendations to the concerns handed out today by the Citizen Coordinate for Century 3.  
(No quorum present).

9. Respond to a formula on a fair per capita allotment if one is prepared.

Second by Henderson. No vote.

ITEM-705:                   TRAILED TO MARCH 18, 1991

(Continued from the meeting of March 4, 1991, Item S406, at Mayor O'Connor's request, to hear all the water items together.)

In the matter of Water Conservation efforts.

FILE LOCATION:           --

COUNCIL ACTION:         (Tape location: D406-E698.)

Trailed to March 18, 1991. No vote.

ITEM-706: (R-91- ) TRAILED TO MARCH 18, 1991

Amending and/or increasing certain currently effective water rates and charges as part of the annual review of water and sewer utility rates.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D406-E698.)

Trailed to March 18, 1991. No vote.

ITEM-707: (O-91-148) TRAILED TO MARCH 18, 1991

Introduction of an Ordinance amending Chapter VI, Article 4, Division 4, of the San Diego Municipal Code, by amending Section 64.0411, and amending Chapter VI, Article 7 of the San Diego Municipal Code, by amending Section 67.59.1, relating to Sewer and Water Rate Adjustment.

CITY MANAGER SUPPORTING INFORMATION: The Municipal Code (Section 64.0411 and 67.59.1) currently provides that water and sewer rates be adjusted annually on the first day of January to compensate for any increases in the costs of purchased water and/or energy which are beyond the control of the City. The Proposed Ordinance:

1. Amends Section 64.0411 (Sewer Rates - Adjustments) and 67.59.1 (Water Rates - Adjustments) to provide that adjustments to water and sewer rates be made at any time to compensate for increases in Water Purchase and/or Energy Costs.

WU-U-91-134.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: D406-E698.)

Trailed to March 18, 1991. No vote.



ITEM-708: (R-91-1462) ADOPTED AS RESOLUTION R-277475

Authorizing the execution of an agreement with Metro Traffic Control for a Water Conservation Public Information and Education Campaign, together with any necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary in order to carry out the purpose and intent of the project and agreement; authorizing the expenditure of an amount not to exceed \$32,000 from the Water Utilities Department's Water Conservation Program budget, for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: On December 11, 1990, the City Council adopted the "City of San Diego's 1990 Urban Water Management Plan and Conservation Program" (Plan). The Plan includes eight integrated and complementary water conservation programs. A Public Education and Information Program (Program) is one of the eight programs. The Program will consist of newspaper and radio advertising, the distribution of water conservation informational materials and kits, tours of facilities, presentations through the Water Utilities Department's Speakers Bureau and water bill inserts.

The Program is designed to include the broadcast of water conservation messages in conjunction with live air traffic reports. Metro Traffic and Airwatch are the only two firms capable of broadcasting these messages over San Diego radio stations. Airwatch has two major service limitations which preclude it from meeting the City's needs. First, it is not affiliated with any San Diego Hispanic radio stations; and second, it is unable to provide service during the requested period of time. This information was provided by the General Sales Manager of Airwatch. In April of 1990, these services were competitively bid. Airwatch did not submit a bid at that time as it was unable to meet the requirement of broadcasting over San Diego Hispanic radio stations. Based upon the information provided herein, it is recommended that the City Manager enter into an agreement with Metro Traffic for these services.

Aud. Cert. 9100682.

WU-U-91-138.

FILE LOCATION: WATER-Metro Traffic Control for a Water  
Conservation Public Information and  
Education Campaign CONT FY 91-1

COUNCIL ACTION: (Tape location: D384-412.)

MOTION BY BERNHARDT TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-not present, Pratt-not present, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 2:18 p.m.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: E698).